

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY

S.P. 685 - L.D. 1983

**An Act To Amend Certain Record-keeping and Reporting Requirements
Imposed on State and Local Law Enforcement Agencies and the Department
of Public Safety**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 15 MRSA §5825, as corrected by RR 2017, c. 1, §9, is amended to read:

§5825. Records; reports

1. Records of forfeited property. Any officer, ~~to whom~~ or department or agency ~~having custody of to which~~ property subject to forfeiture under section 5821 ~~or having disposed of the property has been ordered forfeited~~ shall maintain complete records showing:

- A. ~~From whom it received the~~ The name of the court that ordered each item of property to be forfeited to the officer, department or agency;
- B. ~~Under what authority it held, received or disposed of the property;~~
- C. ~~To whom it delivered the property;~~
- D. ~~The date and manner of destruction or disposition of the~~ on which each item of property was ordered forfeited to the officer, department or agency; and
- E. ~~The exact kinds, quantities and forms of the~~ A description of each item of property forfeited to the officer, department or agency.

~~The records must be open to inspection by all federal and state officers responsible for enforcing federal and state drug control laws. Persons making final disposition or destruction of the property under court order shall report, under oath, to the court the exact circumstances of the disposition or destruction.~~

2. Department of Public Safety; centralized record. ~~The Department of Public Safety shall maintain a centralized record of property seized, held by and ordered to the department. A report of the disposition~~ transfer of property previously held by the ~~department~~ Department of Public Safety and ~~then~~ ordered by the a court to any be

forfeited to another governmental entity must be provided at least quarterly upon request to the Commissioner of Administrative and Financial Services and the Office of Fiscal and Program Review for review. These records must include an estimate as to the fair market value of items seized. The report must account for any such transfer that occurred during the 12 months preceding such a request.